

January 5, 2000

MAINE PUBLIC UTILITIES COMMISSION
Investigation into Area Code Relief

PROCEDURAL ORDER

I. Cost of Recovery Issues

On December 17, 1999, a cost recovery workshop was held at the Commission. The participants discussed the role that the North American Portability Management, LLC (NAPM) should play in negotiating a contract with NeuStar, Inc. (NeuStar) for costs associated with administering pooling in the 207 NPA. It was determined that the NAPM should go forward with negotiations with NeuStar on behalf of the Maine Industry. Upon completion of negotiations, the draft agreement will be circulated to the Maine Industry as well as the Commission for review to ensure that it meets all of the specific needs and requirements of the 207 pooling trial.

With regard to development of a cost recovery mechanism, there was preliminary agreement that industry-wide costs should be recovered through an allocator based upon carriers' end-user telecommunications revenues, which include interstate, intrastate, and international end-user revenues. An Examiner's Report addressing this issue as well as the general issue of the Commission's jurisdiction to recover the costs associated with pooling from all carriers, including those who do not participate in the pool, will be issued in the near future.

Finally, a task force was established to develop mechanisms for incumbent local exchange carriers to recover their pooling costs. The members are as follows:

Ben Sanborn	TAM
Wayne Jortner	OPA
Andy Hinkley	Mid-Maine TelPlus
A representative from Bell Atlantic	

I requested that the task force report back to the Commission by January 31, 2000.

II. Code Requests

A. Growth Codes

Pursuant to the FCC's Delegation Order and the Commission's November 4, 1999 Order, a carrier requesting a growth code must show that it has achieved a 75% fill rate in its current NXX(s) and that current supplies will exhaust within 6 months. The Commission plans to develop a form for all carriers to provide the Commission when they apply for an NXX (or block) from NANPA (or the Pooling Administrator). Until such

time, a carrier requesting a growth code from NANPA should provide the Hearing Examiner with the following information at the time the code request is made to NANPA:

1. Rate center where NXX is being requested;
2. Number of NXXs already in service in that rate center;
3. Number of telephone numbers (TNs) in use in that rate Center (assigned working numbers);
4. Number of TNs reserved in that rate center; and
5. A copy of the months to exhaust worksheet (See Draft Thousand Block Guidelines at <http://www.atis.org/atis/clc/INC/incwdocs.htm> – Attachment 3 to the Draft Thousand Block Pooling Administration Guidelines)

Unless and until the carrier provides this information, the Commission will direct NANPA not to fill the code request.

B. Initial Codes

Pursuant to the FCC's Delegation Order and the Commission's November 4, 1999 Order, carriers must make a showing of facilities readiness within 6 months before an initial code will be assigned to a carrier for a specific rate center. Since March 1999, CLECs have been required to make such a showing during their certification proceedings at the Commission. However, considerable time often elapses before the carrier actually requests a code in a rate center for which it has been certified. While the Commission is pleased that carriers wait until they actually need a code before requesting one, it believes it is necessary to update the facilities readiness showing at the time the actual code request is made in order to ensure compliance with the 6 month standard. Again, the Commission intends to develop a form to be used by carriers. In the meantime, all carriers requesting initial codes must provide the Hearing Examiner with the following:

1. A letter or affidavit stating that the carrier will have facilities in place to provide service in that rate center within 6 months and that the carrier intends to offer service in that rate center within 6 months; and
2. Proof of facilities readiness: an order for UNEs, an order for equipment, or other documentation supporting the carrier's claim of facilities readiness.

Unless and until the carrier provides the Commission with this information, the Commission will direct NANPA not to fill the code request.

Dated at Augusta, Maine, this 5th day of January, 2000.

BY ORDER OF THE HEARING EXAMINER

Trina M. Bragdon